

REMARKS

The Official Action dated August 3, 2011 has been carefully considered. Accordingly, the present Amendment is believed sufficient to place this application in condition for allowance. Reconsideration is respectfully requested.

By the present amendment, claim 33 is amended to more clearly define the invention in accordance with the Examiner's suggestion in the Official Action, and to recite the components as set forth in claims 37 and 42 as optional. Claims 37 and 42 are amended to correspond with claim 33 as amended. Claims 49 and 50 are cancelled. It is believed that these changes do not involve any introduction of new matter, and therefore entry is in order and is respectfully requested.

In the Official Action, claims 33-50 were rejected under 35 U.S.C. §103(a) as unpatentable over the Dawson et al U.S. Patent No. 5,662,719 in view of the Remerowski U.S. Patent No. 4,751,122. The Examiner asserted that it would be obvious to use paper and polyethylene as taught by Remerowski as the strips of Dawson's device. The Examiner suggested use of the phrase "consisting of" to exclude any energy-raising and/or combustion-improving and/or smoke-forming substances beyond the paper strip and the polyethylene strip.

This rejection is traversed and reconsideration is respectfully requested. More particularly, as defined by independent claim 33, the present invention is directed to an inflammable, single-service lighting strip assembly consisting of a wound roll of two thin, elongated and coordinated strips, wherein one of the two strips comprises a thin paper strip and the other of the two strips comprises a thin polyethylene plastic strip. The thin paper strip and the thin plastic strip are partly united to each other at opposite surfaces, optionally with adhesive

and/or desiccant therebetween, and are sufficiently tightly wound that the assembly is adapted to resist lighting by an outside fire. The coordinated strips are adapted to unwind to a non-compacted state adapted for lighting and are operable in their non-compacted state to partially realign elastically to form a ball structure. Upon lighting of the strips in the non-compacted state, the paper layer is operable to provide an initial combustion and the plastic layer is operable to provide a subsequent high energy secondary combustion for lighting an adjoining inflammable material.

Importantly, according to claim 33, the paper layer is operable to provide an initial combustion and the plastic layer is operable to provide a subsequent high energy secondary combustion for lighting an adjoining inflammable material, and, by virtue of the "consisting of" language, the assembly is free of additional energy-raising and/or combustion-improving and/or smoke-forming substances such as gunpowder or other fuel.

In contrast, Dawson discloses a lighter or igniter apparatus which includes a strip of fuel such as gunpowder. Similarly, Remerowski discloses a propellant strip assembly and propellant charge structure which comprise an oxidizer rich layer containing fuel and a propellant layer. Thus, neither Dawson nor Remerowski teach or suggest an inflammable, single-service lighting strip assembly consisting of a wound roll of two thin, elongated and coordinated strips, optionally with adhesive and/or desiccant therebetween.

In determining patentability under 35 U.S.C. §103, it is necessary to determine whether there was an apparent reason to combine known elements in the fashion of the claims at issue, *KSR International Co. v. Teleflex, Inc.*, 550 US 398, 418 (2007). The evidence of record provides no apparent reason to combine the teachings of Dawson and Remerowski to arrive at

the single-service lighting strip assemblies of claim 33, or claims 34-48 dependent thereon. Accordingly, Dawson and Remerowski do not render the presently claimed single-service lighting strip assemblies obvious, and the rejection under 35 U.S.C. §103 has been overcome. Reconsideration is respectfully requested.

It is believed that the above represents a complete response to the Official Action and places the present application in condition for allowance. Reconsideration and an early allowance are requested. The Examiner is urged to telephone the undersigned if any issues remain outstanding, in order to expedite any further prosecution.

Please charge any fees required in connection with the present communication, or credit any overpayment, to Deposit Account No. 503915.

Respectfully submitted,

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